

By: Harper-Brown

H.B. No. 2903

A BILL TO BE ENTITLED

AN ACT

relating to certain sanitation requirements applicable to
barbering and cosmetology.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1602.256(a), Occupations Code, is
amended to read as follows:

(a) A person holding a manicurist license may perform only
the practice of cosmetology defined in Section 1602.002(a)(10) or
(11) [~~1602.002(9) or (10)~~].

SECTION 2. Section 1603.352, Occupations Code, is amended
to read as follows:

Sec. 1603.352. SANITATION REQUIREMENTS FOR CERTAIN
SERVICES. (a) A person who holds a license, certificate, or
permit issued under this chapter, Chapter 1601, or Chapter 1602 and
who performs a barbering service described by Section
1601.002(1)(E) or (F) or a cosmetology service described by Section
1602.002(a)(10) or (11) [~~1602.002(10) or (11)~~]:

(1) shall, before performing the service, disinfect
and sterilize with an autoclave or a dry heat, ultraviolet, or other
department-approved sterilizer each nondisposable instrument used
to perform the service; and

(2) may use a disposable supply or instrument only if
that supply or instrument is purchased at the location where the
service is performed or provided by the person on whom the service

1 is performed.

2 (b) The owner or manager of a barber shop, barber school,
3 beauty shop, specialty shop, or beauty culture school is
4 responsible for providing an autoclave or a dry heat, ultraviolet,
5 or other department-approved sterilizer for use in the shop or
6 school as required by Subsection (a). An autoclave or a dry heat,
7 ultraviolet, or other department-approved sterilizer used as
8 required by Subsection (a) must be:

9 (1) registered and listed with the federal Food and
10 Drug Administration; and

11 (2) used in accordance with the manufacturer's
12 instructions.

13 SECTION 3. Sections 1601.506 and 1602.408, Occupations
14 Code, are repealed.

15 SECTION 4. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2007.